

California Regional Water Quality Control Board
Santa Ana Region

Minutes of September 7, 2007 Board Meeting
City of Loma Linda
25541 Barton Road
Loma Linda

1. Chair Beswick called the meeting to order at 9:06 a.m.

Board Members Present

Carole Beswick, Chair
Deborah Neev, Vice-Chair
John Withers
William Ruh
Seymour Van Gundy
Fred Ameri

Board Members Absent

Maurice Gallarda
Mary Cramer

Staff Members Present

Gerard J. Thibeault, Executive Officer
Kurt V. Berchtold, Assistant Executive Officer
Erik Spiess, Regional Board Counsel
Joanne Schneider, Environmental Program Manager
Michael J. Adackapara, Supervising Water Resource Control Engineer
Gary Stewart, Chief of Compliance
Stephen Mayville, Chief of Enforcement
Mark Adelson, Chief of Regional Planning
Jun Martinez, Chief of Permitting
Wanda Cross, Chief of Basin Planning (Coastal)
Terri Reeder, Engineering Geologist
Ed Kashak, Engineering Geologist
Linda Candelaria, Environmental Scientist
Patrice Copeland, Engineering Geologist
Kathleen Fong, Water Resources Control Engineer
Jeff Kashak, Student
Kevin Heinemann, Staff Information Systems Analyst
Felipa Carrillo, Executive Assistant

State Board Representative

None.

Public Attendance

Rod Cruze, City of Riverside
Pat Bolds, MFC
Geoffrey Vanden Heuvel, MPC
Jeff Gow, Riv. Co. Waste Mgmt.
Justin LoFranco, City of Corona, DWP
Bruce & Nanette Scott, Scott Bros Dairy Farms
Coralee Johnson, Scott Bros Dairy Farms

Gian Villarreal, RBF/Caltrans
John Kemmeres, USEPA
Jack Skinner, Newport Bay
Moy Hahya, Charles Abbott Assoc.
Rob Vanden Heuvel, Milk Producers Council
Marylynn Coffee, Nossaman
Larry McKinny, RBF Consulting

Bob Kalchthaler, Strategic Insights
Chandra Johanneson, City of Riverside
Paul Singarella, Latham
Michelle Mehta, NRDC
Dr. Cindy Lin, USEPA

Brad Scott, Milk Producers Council
Dr. Susan Paulsen, Flow Science
Mike Loving, City of Irvine
Noah Gorrisson, NRDC
Chris Crompton, County of Orange

Public Forum

Chris Crompton, County of Orange, informed all members present that a new guidance document has been produced by the California Stormwater Quality Association (CASQA). It is the Municipal Stormwater Program Effectiveness Guidance, which is intended to assist stormwater program managers in designing and conducting assessments on the effectiveness of their program. It contains tools to help answer questions on whether these programs really work. He said they are working with State Board staff in Sacramento to develop and conduct a pilot workshop effort, hoping to include USEPA, State RWQCB staff and municipal program managers.

3. **Approval of Minutes**

Action: It was moved by Member Ruh, seconded by Vice-Chair Neev and unanimously approved that the Minutes of June 29, 2007 be approved as presented.

5. **Consent Calendar**

It was noted that Items No. 9 and Item No. 10 had been postponed.

- *5. **Appeal of Staff's Denial of an Exemption from the Minimum Lot Size Requirement - Thomas and Lucille Hightower**
- *6. **Renewal of Waiver of Waste Discharge Requirements for Specific Types of Discharges, Resolution No. R8-2007-0036**
- *7. **Amendment of Order No. 98-3, Waste Discharge Requirements for The City of Corona Wastewater Treatment Plant No. 2, Riverside County, Order No. R8-2007-0052**
- *8. **Rescission, Order No. R8-2007-0063**
- *11. **Amendment to Order No. 01-18, Waste Discharge Requirements for Lamb Canyon Sanitary Landfill, Riverside County, Order No. R8-2007-0044**

Action: It was moved by Member Ruh, seconded by Member VanGundy, and unanimously approved that the Board adopt Orders No. R8-2007-0036, R8-2007-0052, R8-2007-0063, and R8-2007-0044, and approve the exemption from minimum lot size requirements requested by Thomas and Lucille Hightower.

12. **Renewal of General Waste discharge Requirements for Concentrated Animal Feeding Operations (Dairies and Related Facilities) Within the Santa Ana Region, NPDES CAG018001, R8-2007-0001.**

Information concerning this item is contained in a verbatim transcript of the proceedings.

Gary Stewart, Chief of Compliance, began his presentation by saying that they have finally come to a happy median after addressing some concerns brought forth by NRDC, Milk Producers Council, Western Riverside County Ag Coalition and others since 2004. He discussed the development of the Draft General Dairy Permit and the first draft of the permit was prepared in the issues that resulted in the schedule for issuance of the draft general permit. He said the previous general dairy permit was administratively extended because staff had anticipated an earlier release of the USEPA CAFO regulations.

Mr. Stewart described the workshops held in February and July of 2007. He talked about the concerns that were brought forth at the workshops and how those concerns were addressed in the current draft.

Mr. Stewart also described a number of additional minor changes made to the permit.

Speakers on this item:

Bruce Scott, Scott Bros. Dairies
Geoffrey Vanden Heuvel, MPC
John Kemmeres, USEPA

Action: It was moved by Member Withers, seconded by Vice-Chair Neev, and unanimously approved that the Board adopt Order No. R8-2007-0001

13. **Basin Plan Amendment to Incorporate Total Maximum Daily Loads (TMDLs) for Organochlorine Compounds for San Diego Creek and Newport Bay, Resolution No. r8-2007-0024.**

Information concerning this item is contained in a verbatim transcript of the proceedings.

Terri Reeder, Engineering Geologist, presented this item. She began with a summary of the organochlorine compounds TMDLs proposed by Board staff and a review of the December 1, 2006 workshop and subsequent Board discussions concerning those TMDLs. Ms. Reeder reviewed the list of documents included in the agenda package, including staff's responses to comments. She described the changes to the proposed Basin Plan amendment to incorporate the TMDLs that had been made in response to comments. These changes include added emphasis on the integrated and comprehensive Work Plan approach to implementing these and other TMDLs. She also described the CEQA analysis conducted to assess the potential environmental effect of implementing the recommended TMDLs and drew the Board's attention to the Substitute Environmental Document attached to the supplemental staff report, and the proposed CEQA Findings of Fact and Statement of Overriding Considerations (Attachment 1 to Resolution No. R8-2007-0024).

Joanne Schneider, Environmental Program manager, recommended the addition of an endnote to Table NB OCs-13 to provide the Regional Board flexibility in revising compliance schedules for implementation tasks (but not the final TMDL compliance date) without a Basin Plan amendment, provided that adequate justification is provided. Mr. Spiess recommended the addition of a finding in the Resolution to reflect the receipt of comments that were not sufficiently descriptive to enable a response.

Ms. Reeder recommended that the Board adopt Resolution R8-2007-0024, approving the CEQA Findings of Fact and Statement of Overriding considerations (Attachment 1 to the Resolution), and the Basin Plan amendment to incorporate the organochlorines TMDLs for the San Diego Creek, Upper and Lower Newport Bay into the Santa Ana River Basin Water Quality Control Plan (Attachment 2 to the Resolution).

Speakers on this item:

Dr. Jack Skinner, Newport Bay
Chris Crompton, County of Orange
Marylynn Coffee, Nossaman
Dr. Susan Paulsen, Flow Science
Paul Singarella, Latham & Watkins
Dr. Cindy Lin, USEPA

Action: It was moved by Member Withers, seconded by Member Ruh, and unanimously approved that the Board adopt Order No. R8-2007-0024, with the addition of the endnote to Table NB OCs-13 and the Finding to the Resolution, as recommended by Board staff and legal counsel.

It was noted by Chair Beswick that items No. 14 through No. 18 had been either postponed or settled.

14. **Administrative Civil Liability Complaint, City of Colton, San Bernardino County**
This item was postponed.

15. **Administrative civil Liability Complaint, City of Rialto, San Bernardino County**
This item was settled.

16. **Administrative civil Liability Complaint, City of Riverside, Riverside County**
This item was settled.

17. **Administrative Civil Liability Complaint, City of Cypress, Orange County**
This item was settled.

18. **Administrative Civil Liability Complaint, City of Villa Park, Orange County**
This item was postponed.

19. **Status Report on Rialto-Colton-Fontana Perchlorate Investigation**

Mr. Berchtold reported on the legal proceedings that led to the delay of the scheduled perchlorate hearings and described anticipated legal actions affecting those hearings. He also reported that the County is continuing its investigation at the 160-acre site.

20. **Hazardous Waste Incident Report**
Information item.

21. **Underground Storage Tanks corrective Action Plans**
Information item.

22. **Underground Storage Tanks Site closure Report**
Information item.

23. **State Water Resources Control Board Liaison Report**
None.

24. **Executive Officer's Report**

Mr. Thibeault expressed staff's appreciation for those Board members who made extraordinary efforts to make it to today's meeting in order to have a quorum.

25. **Regional Board Member Communications**

Chair Beswick thanked Vice-Chair Neev for attending last month's Chairs meeting in Sacramento in her place. She concluded by saying that the next WQCC meeting is scheduled for October 29 & 30, 2007, but wasn't sure where it would be held as of yet.

Closed Session

There was no closed session.

26. **Adjournment**

The meeting was adjourned at 11:50 a.m. to the regular Board meeting on October 12, 2007 at 9:00 a.m., at the City of Loma Linda, Council Chamber, 25541 Barton Road, Loma Linda.

Respectfully submitted:

GERARD J. THIBEAULT
Executive Officer

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